STAKEHOLDER CONSULTATION GUIDELINES 2014

PUBLIC CONSULTATION DOCUMENT

BACKGROUND TO CONSULTATION ON STAKEHOLDER CONSULTATION

Stakeholder consultation helps EU law making to be transparent, well-targeted and coherent. It is enshrined in the Treaties. Consultations - together with impact assessments, evaluations, fitness checks and expertise - are a key tool for transparent and informed policy-making. They help take decisions that respect the principles of proportionality and subsidiarity[1] and that are based on evidence, the experience and the views of those affected by the policies and involved in their implementation.

The Commission consults widely at each stage of the policy cycle, respecting the principles of openness and transparency and following minimum standards[2], which are generally acknowledged as appropriate and responding to international best practice. Over the last five years, stakeholders' views were sought through more than 500 open consultations published on the 'Your Voice in Europe' website.

Following the 2012 public consultation on "Smart Regulation in the EU", the Commission reviewed its consultation policy in its Communication on EU Regulatory Fitness of December 2012[3] ("REFIT Communication 2012"). The review confirmed the validity of the Commission's consultation policy and tools, as well as the progress in implementing it over the years. Nevertheless, the review and stakeholders' views pointed to areas for further improvements, highlighting in particular that consultations do not always ask the right questions at the right time and sometimes fail to reach those directly affected who cannot always be addressed in their native languages.

In the context of the 2012 review, the Commission committed to clarify the minimum standards by including clearer operational criteria and strengthen internal control and support mechanisms so that consultations better support all phases of the evaluation, impact assessment and decision-making processes. The attached "Stakeholder consultation guidelines" have been prepared in this context and aim at strengthening the quality, scope and targeting of consultations.

The Guidelines do not change the scope of the Commission's minimum standards for consultation, which remain valid. Minimum standards continue to apply mandatorily to Green Papers and to all consultations carried out when preparing a new Commission proposal which is subject to an impact assessment. In its REFIT Communication of June 2014[4], the Commission has also committed to "strengthen the use of consultations in evaluations and Fitness Checks by applying minimum standards of consultation as it is currently done for impact assessments". As before, the minimum standards are to be applied where possible in any other type of consultation that the Commission services may launch.

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[1] Consultation is laid down in Article 11 / TEU and in protocol nr. 2 on the application of the principles of subsidiarity and proportionality.
[2] COM(2002) 704
[3] COM(2012) 746 and accompanying SWD(2012) 422
[4] COM(2014) 368

These guidelines are for Commission services that carry out consultations with stakeholders and citizens outside the European institutions. They cover the main consultation methods and tools. Their aim is to flag the major issues to consider when preparing and running consultations and help Commission services define the approach that best fits their needs. They provide advice and support on all aspects of carrying out consultations - from the definition of the consultation's objectives to the evaluation of its results. The Guidelines may be updated as required on the basis of experience gathered and lessons-learned. They may also be complemented by procedural rules and more technical guidance to Commission services on some aspects of consultation.

While the Guidelines are intended for internal Commission use only, stakeholder input is essential in ensuring their quality. The Commission encourages stakeholders to participate in this consultation, and to answer the following questions or to provide any other comments on the basis of the attached material.

1. Do you think the Stakeholder Consultation Guidelines cover all essential elements of consultation? Should any of these elements receive more attention or be covered more extensively?
2. Do you think the guidelines support the identification of the right target audiences? If not, how would you improve them?
3. Participation by stakeholders in open public consultations is often disappointingly low. How can the Commission encourage or enable more stakeholders to take part? How can the Commission better reach and engage underrepresented groups of stakeholders and assist them in replying to complex issues?
4. Is there a risk of 'over consultation', making it difficult for you as a stakeholder to distinguish between important and less important consultations?
5. Do you see a need to explain the limits of consultations in this guidance document?
6. Do you think the guidelines provide enough guidance on how to analyse the results and assess the representativeness of respondents and how to provide feedback to stakeholders participating in a consultation? If not, how could this process be improved?
7. Do you agree with the presentation of the different consultation steps (1-10)? Or, do you see additional steps?
8. Do you think these consultation "tools and methods" are adequate or do you see others which should be referred to in the guidelines?
9. Do you have any other comments or suggestions, which could help make these Guidelines as comprehensive and clear as possible?

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1. CONSULTATION BASICS: WHAT, WHY, WHEN, WHO, HOW?

1.1. What is consultation?

Consultation is a process through which the Commission collects opinions and views from citizens and stakeholders about its policies in line with Treaty obligations.

According to Article 11 of the Treaty on European Union[5], 'the European Commission shall carry out broad consultations with parties concerned in order to ensure that the Union's actions are coherent and transparent'. Protocol no. 2 on the application of the principles of subsidiarity and proportionality annexed to the Treaty stipulates that 'before proposing legislative acts, the Commission shall consult widely'.

The term 'stakeholder consultation', also referred to as 'consultations with interested parties' or with 'external parties', applies to consultations with stakeholders and citizens outside the European institutions and bodies. It does not apply to input from citizens in the context of the 'European Citizen Initiative', nor to other specific consultation frameworks in certain policy fields, e.g. specific Treaty provisions for consulting social partners, such as the consultation of social partners (Articles 153-155 TEU), consultations in the area of environment (Regulation (EC) N° 1367/2006), the specific framework provided for in the Treaties for the consultation of the consultative committees in the context of the legislative process (Articles 304 and 307 TEU), or the opinions of Comitology committees.

Stakeholder consultation as defined above can take various forms and can be implemented through different consultation methods (open public, targeted etc.) and tools (documents, questionnaires, surveys, hearings etc.) , the most important of which are covered by these Guidelines.

Stakeholder consultation needs to be distinguished from data collection and collection of expertise. The collection of expertise is largely done through expert groups for which the Commission has adopted a specific framework in 2010[6] . While stakeholder consultation may generate illustrative examples or data, its main objective remains to give stakeholders the possibility to express their views. It cannot be used exclusively to collect data.

1.2. Why consult?

Consultation of external parties increases the legitimacy and hence the quality and credibility of Commission proposals. It allows improving our policies. In its policy and legislative proposals, the Commission has a duty to identify the 'community' interest, i.e. the public interest as opposed to the special interests of particular groups or parts of society. Therefore, when consulting, the Commission seeks a comprehensive overview of differing interests, to make sure that its decisions are based on the best available information.

Consultations should not be considered as a procedural step or as a tool to validate given positions, but rather as an opportunity to collect external views – including critical ones – for policy

[5] For further information: http://europa.eu/about-eu/basic-information/decision-making/treaties/index_en.htm
[6] COM(2010) 7649, SEC(2010) 1360

preparation, to measure expectations and identify policy alternatives. Any issue of concern identified in the consultation phase can help shape the proposal during the early policy preparation phase when changes may still be easier to make.

1.3. When is a consultation necessary?

The general obligation to consult widely derives directly from the Treaties[7].

Thus, the Commission consults interested parties openly and transparently on its major proposals.

In particular, stakeholder consultations are carried out to support the preparation of:

- policy communications/white papers
- legislative proposals
- spending programmes
- delegated acts and implementing acts with important impacts, i.e. subject to an impact assessment
- evaluations of existing policies or programmes

Furthermore, "the Commission has to assess its consultation needs on a case-by-case basis in line with its right of initiative"[8].

Consultations can take various forms and use different tools (cf. step 3 and Annex 1). The type of stakeholder consultation required and the consultation intensity will thereby differ depending on the proposal under consideration.

The Commission's minimum standards for consultation[9] continue to apply mandatorily to Green papers (formal consultation documents) and to all consultations carried out when preparing a new Commission proposal which is subject to an impact assessment. In its REFIT Communication of June 2014[10], the Commission has also committed to "strengthen the use of consultations in evaluations and Fitness Checks by applying minimum standards of consultation as it is currently done for impact assessments" and recommended that "agencies apply the minimum standards when running consultations". As before, the minimum standards are to be applied as best practise in any other type of consultation that the Commission services may launch, taking proportionality into account.

As stated in the REFIT Communication of June 2014, the Commission is currently considering how to improve public consultations on implementing and delegated acts. The Guidelines may therefore be further adapted in the light of this discussion.

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[7] The consultation requirement is laid down in Article 11 / TEU and in Protocol nr. 2 on the application of the principles of subsidiarity and proportionality.

[8] COM(2002) 704

[9] COM(2002) 704 as complemented and amended by COM(2012) 746 and accompanying SWD(2012) 422

[10] COM(2014) 368

1.4. Who is responsible for carrying out a consultation and what rules to respect?

The running of stakeholder consultation is decentralised to the Commission service responsible for the respective initiative. In some cases, external consultants can support or even conduct the consultation work, but the lead service remains responsible for the scope and objectives of the consultation, its process, outcome, and the fulfilment of the minimum standard requirements, where these apply.

1.5. What rules must be respected?

The general rules on how the Commission services should consult are summarised in the 'Minimum standards and general principles' Communication[11]. There are five general principles governing relations with stakeholders: participation, openness, accountability, effectiveness and coherence. They are complemented by five minimum standards which require that:

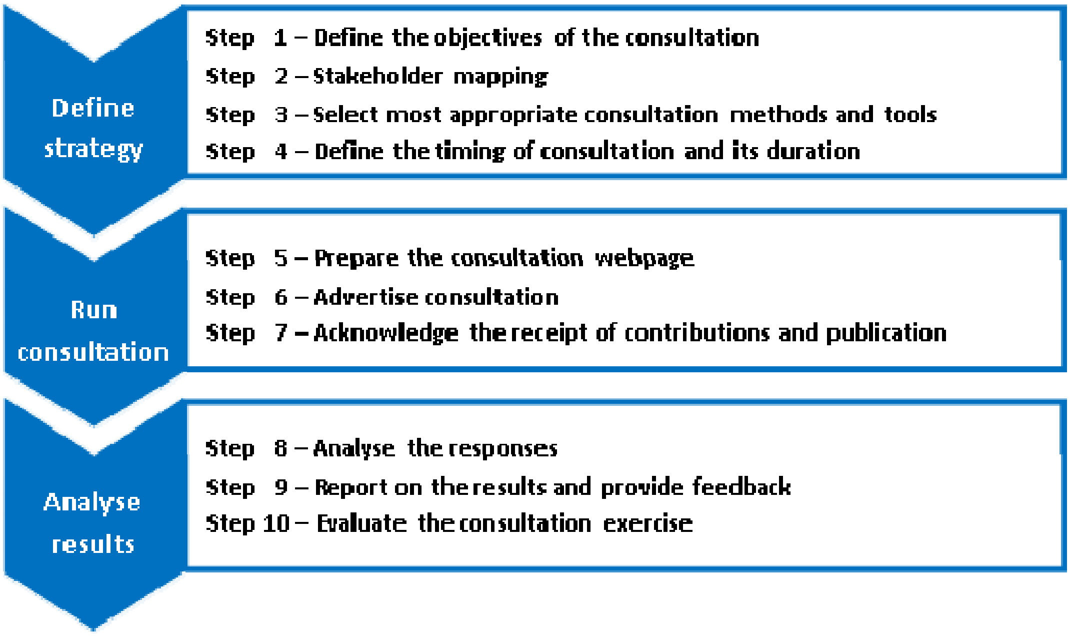
- A: Consultation documents are clear, concise, and include all necessary information;
- B: All relevant parties have an opportunity to express their opinion;
- C: Adequate awareness-raising publicity is ensured and communication channels are adapted to meet the needs of all target audiences;
- D: Participants are given sufficient time for responses;
- E: Acknowledgement and adequate feedback is provided.

CONSULTATION PROCESS –10 STEPS GUIDANCE

The consultation process can be structured in 10 steps. The relevance of these steps for a given consultation exercise will vary on a case-by-case basis depending on the consultations' objectives (cf. step 1).

[11] COM(2002) 704 final as complemented and amended by COM(2012) 746 and accompanying SWD(2012) 422 and by COM(2014) 368.

Figure: Consultation process steps



1.6. Defining consultation strategy and planning (Steps 1 – 4)

The consultation process should always remain proportionate to the expected scope and impact of the initiative it supports, as well as to the consultation objectives. It should focus on those aspects which stakeholders can influence, with all stakeholders having the opportunity to express their views. Aspects which cannot be changed due to legal or political nature should not be subject of consultation. A consultation strategy is always case-specific and should be defined early in the planning process. For initiatives supported by an impact assessment, the consultation strategy should be established at the very beginning of the impact assessment work, and be integral part of, the roadmap. The roadmap should provide advanced information to stakeholders on upcoming consultation activities.

Consulting is not a one-off event, but a dynamic process that may consist of several complementary consultation activities which may vary in terms of objectives, timing, target groups or tools used. It is therefore important to start early by carefully planning and designing a consultation strategy covering the whole policy-development process, and including all consultation activities that will be carried out to support the preparation of a specific initiative. Later on, the strategy can be adapted if necessary, and complemented with consultation activities planned to support the policy evaluation.

STEP 1: Defining the objectives of the consultation

– Stakeholders should be given a possibility to comment on a clear problem definition, on a subsidiarity analysis and on a description of the possible options and their impacts (cf. impacts (cf. IA guidelines).

It is essential to clearly define objectives for each consultation activity. In some cases (especially in the evaluation and, to a lesser extent, in the IA context), the Commission is likely to carry out several consultation activities to collect contributions from stakeholders for the preparation of an initiative. Based on the stage in the policy development process, the objectives can be for example to gather new ideas[12], collect views and opinions[13], gather evidence, factual information data, knowledge[14] and test existing ideas and analysis[15].

Aspects to consider when defining consultation objectives:

- The context, scope and expected impacts of the initiative and the stage in the policy development process.
- The consultation background of the proposal under preparation: consultations that have already taken place (if any); future consultations that will take place after the current one (if any) and their respective objectives. This should help to identify what information is already available and what still needs to be asked from stakeholders.
- The scope of the consultation: What items are still open for consultation? Where is it still possible to influence the outcome of policy preparation? What items have already been decided and are therefore not the scope for consultation? 'Pro forma' consultations without any impact on the substance of the policy have to be avoided.
- The difference between collecting views or opinions (subjective) and collecting evidence, data or facts (objective).
- Clear communication of the objectives in the consultation document and on the consultation web page (cf. step 5). Transparency about the objectives of each consultation activity and its expected outcome will avoid mismatched expectations from the responding target groups and allow obtaining the input that is being sought.

1.6.1. STEP 2: Stakeholder mapping

– Define the consultation target group (minimum standard B):
– Clearly specify the consultation target groups in the consultation document/consultation web page

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[12] For example, identifying issues at stake, additional policy options, possible (indirect) impacts.

[13] For example, opinions of respondents on a given topic, on the suggested EU level involvement in a given policy area, or views on the implementation arrangements for selected policy options.

[14] For example, examples/evidence/data/experience that would help to estimate or indicate the magnitude and scale of identified problems and their potential effects on the performance of existing policy

[15] For example, clarify whether the identified issues are perceived in the same way by relevant stakeholders/whether they are considered as priority for them, clarify possible impacts of a proposal, verify assumptions/hypothesis, validate existing information or analysis, as a form of external quality control; receive critical feedback on analysis or on suggested ways forward.

One of the most important steps when preparing a consultation strategy is the stakeholder mapping to identify the target groups to be consulted. This will in turn influence the choice of the most appropriate consultation methods and tools (cf. step 3), which should invite contributions from as many relevant target groups as possible. It will also determine whether specific approaches will be needed for different stakeholder groups, as well as which language versions of the consultation documents will have to be made available. The language coverage of the consultation will vary depending on whether those consulted are highly specialised, not specialised, the general public etc.

The basic rule is to consult broadly and transparently among stakeholders who might be concerned by the initiative, seeking the whole spectrum of views in order to avoid capture by specific constituencies. The minimum consultation standards indicate that all relevant parties must have an opportunity to express their opinion. Relevant parties are defined as those affected by the policy, those who will be involved in the implementation of the policy, those that have stated interest in the policy, those that have knowledge and expertise about the issue as well as those that support or can block solutions related to the issue.

In practice, stakeholders will be identified within the following three steps:

1) Identification of different stakeholder categories and groups relevant for a policy area.

Key question of this step is: which stakeholder categories are relevant for the concerned policy area(s) and – even more concretely – for the consultation subject. Existing contacts (e.g. in mailing or distribution lists), subscriptions in the 'Commission at work notifications' and the 'Transparency register' or the track record of participants in previous consultations could be used as starting point. Inter-Service or Impact Assessment Steering Group (IASG) members could suggest new contacts. Services should build up knowledge on who has an interest in the policy and identify the persons and groups with expertise or technical knowledge in a given field. Establishing a stakeholder database could be a useful approach. In this context, due attention should be paid to data protection issues. Stakeholders can fall into the following categories (non-exhaustive list):

1. **Citizen/individual –**
2. **Industry/<u>business</u>**
   - Multi-national/global
   - National - > where from?
3. **EU platform/network/association**
   - Representing for-profit interests
   - Representing not-for-profit interests
   - Representing professions/crafts
4. **Organisation/association**
   - National organisation representing for-profit interests
   - National organisation representing not-for-profit interests,
   - National organisation representing professions/crafts
   - International/ Inter-governmental organisation
5. **Public authority**
   - EU institution

- National government - > where from?
- Regional - > where from?
- Local/municipal - > where from?
- Chambers of commerce - > where from?

6. **Consultancy**
   - Think-tank
   - Professional consultancy
   - Law firm
   - Self-employed consultant
7. **Research/academia**
   - University
   - School & education establishment
   - Research institute
8. **Other**

2) Matching each stakeholder category with the types defined in the minimum standard

The minimum standards define four stakeholder types, those:

(1) affected by the policy;

(2) who will have to implement it;

(3) who have a stated interest in the policy; and those

(4) who have the knowledge and expertise to propose strategies and solutions on the issue at hand.

In some cases, stakeholders may come from more than one stakeholder type.

Understanding to which stakeholder type a stakeholder category belongs, helps identifying their level of interest and influence, which in turn supports the selection of the most appropriate consultation methods and tools.

It is useful to *distinguish between stakeholder categories* that will most likely be affected (directly and indirectly) by the initiative in a significantly different way (e.g. consumers versus industry; those who will benefit versus those who will have to pay/to change their actions/behaviour). *Differentiation within a specific stakeholder category* should also be examined. For example, businesses can be affected by the policy differently depending on their size, location (including those in 3rd countries), type of activity, whether they are public or private, incumbent operators or new entrants etc.

3) Matching of each stakeholder category with the consultation objectives.

When finally defining the consultation target groups, the following aspects should be considered:

- Target groups that run the risk of being excluded should be identified. There might be

differences between different stakeholder groups regarding access and availability of resources they can dedicate for participation in consultations. For example, for rural areas with limited internet access, using different tools than an internet-based consultation can ensure wider participation (see also steps 3 and 6 on the choice of the most appropriate consultation methods and communication channel).

- When defining stakeholder categories balance and comprehensive coverage should be sought: social and economic bodies; large and small organisations or companies; wider constituencies, e.g. religious communities, and specific target groups (e.g. women, the elderly, the unemployed, ethnic minorities), organisations in the EU and those in non-member countries (e.g. candidate or developing countries or major trading partners of the EU).
- Some of the following aspects may also help to identify stakeholders for the consultation process:
  - The wider impacts of the initiative on other policy areas.
  - The need for specific experience, expertise or technical knowledge.
  - The need to involve non-organised interests, as opposed to organised interested parties at the European level or Member States level.
- The same businesses/representative organisations should not always be exclusively consulted, as this would increase the risk (or perception thereof) of listening to only one or a limited number of interests. This 'regulatory capture' by the interests of some specific groups would prevent obtaining a comprehensive and balanced overview of positions.
- For targeted consultations like meetings, conferences or other types of stakeholder events with limited capacity, a pre-selection of participants in the consultation event will be necessary. Criteria used to select the participants should be clear and transparent beforehand. For example, only one representative per organisation/per competent authority; on the basis of criteria ensuring that the selection properly reflects the sector/geographical area/type of interest being represented/size of the organisation or company; on the basis of shown past and recent interest in the policy. The selection criteria should be announced when informing about the event, ahead of selecting the participants for full transparency. The underlying selection criteria should also be taken into account when analysing and summarizing the outcomes of the consultation event, (cf. steps 8 + 9), with due attention to potential (self) selection biases.

1.6.2. STEP 3: Selection of the most appropriate consultation methods and tools

– Ensure that the content of the publication is clear (minimum standard A)

The most appropriate consultation methods and tools (cf. annex 1) are to be chosen depending on the objectives of the consultation, the identified stakeholders, the nature of the initiative and required time and resources.

Concerning the consultation method/type, a choice can be made between open public or targeted consultations, or a combination thereof. This choice should take in due account the consultation objectives and target group(s).

Open public consultation is a method that allows reaching a wide spectrum of respondents, without, however, ensuring full representativeness (cf. Annex 1 fiche x); the pertinence of opinions collected therefore needs to be thoroughly assessed.

Targeted consultations allow more focused interactions or dialogue and may tap expertise more efficiently. However, there is the risk of privileged access for some stakeholders, which might lead to complaints at a later stage. Using targeted consultations as the only consultation method should therefore be the exception and should be explained in the consultation strategy. Several types of targeted consultation methods are explained in the fiches in Annex 1.[16]

The choice of the consultation method will determine the consultation tools. As to the consultation tools most commonly used are written consultations via consultation documents or questionnaires as well as direct interactions with stakeholders via meetings, hearings or open events etc.[17]. The selection of the most appropriate consultation tool should also take into account the degree of interactivity needed (e.g. written consultation versus stakeholder events or online discussion fora). In practice, effective consultation often requires a combination of written consultation tools (used both in case of open public and targeted consultations) and more direct interactions with stakeholders, complementing each other. Particular or additional efforts and methods may be needed to ensure the (partial) representativeness of consultation outcomes.

Annex 1 gives an overview of existing consultation methods/types/tools. Each is presented in a fiche providing detailed explanation, stating the target audience and listing advantages and disadvantages.

Language regime

There are currently no formal requirements concerning the number of language versions of consultation documents to be provided[18], and the Commission's translation resources are not sufficient to translate all consultation documents entirely and into all official EU languages[19]. However, the accessibility of the consultation needs to be ensured for all the stakeholders you want to reach. The Commission translation service (DGT) advises on the appropriate language coverage. DGT should be contacted as early as possible when planning a consultation so that language needs

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[16] In the case of an impact assessment an open public consultation is required, targeted consultation can however supplement it. In the case of ex-post evaluations targeted consultation might often be more relevant the (open) public consultations. This could for example be a case of a very narrow technical amendment, with clearly identifiable limited impacts on clearly identifiable stakeholder groups that can be reached via specific targeted channels

[17] There are also specific tools to reach particular groups, such as the Enterprise Europe Network for SMEs, platforms of the Committee of the Regions.

[18] Individual replies to consultations can be provided in any of the EU official languages.

[19] However, citizens have the right to address the Commission in any of the EU official languages, and therefore individual replies to consultations can be provided in any of these EU official languages.

of the target audience(s), length of documents, timing and available translation resources can be properly assessed and taken into account.[20]

1.6.3. STEP 4: Defining the timing of consultation and its duration

– Clearly communicate the timing and length of each consultation round in the consultation document and on the consultation webpage (minimum standard D).

When preparing the overall consultation strategy, it is crucial to set the appropriate moment of the launch of each consultation activity and their sequence and assess the stages of the policy preparation where stakeholder input will be needed. This again depends on the aim of the consultation and the target groups input is sought from. If a consultation is to be conducted in several languages, the time needed for the translation of the web page, documents, questionnaires, etc. should be taken into account in the planning.

As a general rule and for the sake of its effectiveness, the consultation process should start as early as possible, so that interested parties can really influence the policy outcome. This means that they have to be involved before certain policy decisions have been made. At the same time, there must be sufficient information and ideas on which the Commission services want to consult in order to facilitate meaningful stakeholder input. In some cases, multiple consultations at different stages of the decision process can be envisaged.[21]

Sufficient time for responding must be given to those participating in consultations. The consultation period should strike a reasonable balance between the need for adequate input and the need for swift decision-making.

Since January 2012 the time limit for replies to **open public consultations** is 12 weeks (see fiche x in Annex 1).

Derogations to the 12-weeks period must be justified and provided in the consultation document and on the consultation webpage.

For **meetings, hearings, conferences or other consultation events**, it is best practise to allow 20-working-days' notice, with relevant documents sent ahead of the meeting.

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[20] DGT can provide translations of consultation documents of up to 10 pages into all requested EU official languages. Details and information about other services offered by DGT in the context of translations of consultations is provided in the internal note Ares (2013)2752242.

[21] Allowing e.g. for an early first consultation on the problem definition, subsidiarity analysis and policy options, and a later second one on estimated impacts of policy options and/or on policy recommendations.

1.7. Running a consultation (Steps 5 – 7)

Once the consultation strategy has been designed (Steps 1 – 4) and the relevant consultation tools (e.g. documents/questionnaires) are ready, the next step in the process is to prepare a dedicated consultation web site on the DGs policy site on EUROPA and to run the actual consultation(s).

1.7.1. STEP 5 – Preparation of the consultation webpage

- Ensure that the content of the publication is clear (minimum standard A) - Use the Transparency Register

Dedicated consultation webpage

The first step should be to create a website for the envisaged consultations outlined in the consultation strategy. It should be best practice to publish the consultation strategy including the planned dates of each consultation type on this website and to add here all information about the various consultation activities linked to a certain proposal or policy initiative. All communications relating to a consultation should be clear and concise.

In case of an open public consultation a specific sub-page should be created. In order to ensure consistency and user-friendly access to information, the standard consultation page template should be used[22]. A vade mecum with explanatory notes on how to prepare the standard consultation page is available on the internal Commission website[23].

The link to the open public consultation webpage will be posted on the 'Your voice in Europe' website - the single access portal to all Commission open public consultations, which is available in all official EU languages[24].

Arrangements for reception of contributions

When preparing your consultation webpage, the following should be considered:

- Information to facilitate and encourage stakeholder input should be included. Mailboxes will need to be set up for contributions, but also for information purposes.
- The webpage should indicate the language regime. When the consultation is conducted in several languages, users should be able to navigate in the same language from entering the page to completing the consultation. Regardless of the languages used for consultation documents or questionnaires, it must be made clear to potential

[22] The standard page provides details about the title and policy field of consultation; target groups; period of consultation (and reason why the consultation period is less than 12 weeks for cases where such derogation has been allowed); objective of consultation; instructions on how to submit contributions; information about results of consultation and next steps, privacy statement.

[23] https://myintracomm.ec.europa.eu/corp/sg/en/stakeholder/Pages/template.aspx.

[24] This is done directly by the DG MARKT webmasters (MARKT-WEBMASTER@ec.europa.eu), responsible for the 'Your Voice in Europe' website.

respondents that they can send their reply in any EU official languages.

- Data protection rules have to be respected: If personal data is collected and processed, the processing has to comply with Regulation (EC) 45/2001 on the protection of personal data[25]. Therefore, when conducting any kind of consultation, it must be clearly stated that contributions are going to be published on the dedicated website, unless respondents provide a substantial justification for their opposition to the publication of their contribution. In practice, a specific privacy statement needs to be prepared for each consultation in a separate document. Furthermore, a link to the 'protection of personal data' page needs to be provided on each consultation webpage[26].
- Information about the Transparency Register[27] has to be provided: Organizations that wish to submit comments on a policy proposal are asked to provide the Commission and the public at large with information about which interests they represent and how inclusive their representation is, by registering in the Register. Submissions from organizations that choose not to register will be treated as individual contributions unless they are recognized as representative stakeholders through Treaty provisions.[28] Publishing a consultation on 'Your Voice in Europe' and publishing a roadmap on the dedicated webpage will trigger an information alert to registered organizations.
- A decision needs to be taken on who will collect the responses and answer queries. It might be useful to send reminders/re-sending the information about ongoing consultation after the consultation has already been running for some time. Also to be taken into consideration is the possibility that a particularly high number of replies may arrive close to the deadline, which can risk blocking functional mailboxes and the possibilities to receive messages.

1.7.2. STEP 6 – Announcement/Communication of the consultation

– Ensure that advertisement of consultation and communication channels is adapted to all target audiences (minimum standard C)

All planned consultation activities should be announced on the dedicated website (cf. step 5).

In addition other ways to advertise consultations should be exploited:

- Press conference, including issuing a press release and/or the possibility of a more in-depth briefing of journalists;
- Mid-day express and newsletters;

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[25] The Commission Data Protection Officer can be contacted for further information.
[26] More details are available at: https://myintracomm.ec.europa.eu/serv/en/dpo/actors_space/model_notification/Pages/model_consultations.aspx
[27] The Transparency Register provides information about who is engaged in activities aiming at influencing the decision making process, which interests are being pursued and what level of resources are invested in these activities. More details at: http://ec.europa.eu/transparencyregister/info/homePage.do
[28] Cf. Art. 154-155 TFEU.

- Speeches delivered in relevant events;
- Placing announcements in relevant publications; adding links on web sites and proposing articles for either general and/or more specialized media
- Contacting interested parties or organizations;
- Commission's blogs and social media.

If an open public consultation is launched, certain stakeholders will be automatically alerted via their registration with the Transparency Register or the Notifications system of the Commission.

Commission Representation in the Member States could also be a distribution point, as well as DG COMM which can provide useful input and resources. Other 'intermediaries' through which information can be spread are the Permanent Representations to the EU and the Member States' expert groups.

In any case, those communication channels should be used which are most appropriate to reach your target groups[29].

1.7.3. STEP 7 – Acknowledging the receipt of contributions received and publication of contributions

- Acknowledge the receipt of contributions (minimum standard E)

Whenever stakeholders provide written contributions to any type of consultation it is best practise to send an acknowledgement of receipt and indicate the timing of publication. If contributions are sent by e-mail or using social media platforms it is sufficient to use the same channel. To minimize work, individual or collective acknowledgments of receipt could be automatically generated at the entry point.

After a consultation is closed, all contributions received should be published on the dedicated webpage on the DGs *EUROPA site* [cf. step 5] linking the contributions received to the consultation types as well as providing a summary report. The names of all respondents and all related documents should be systematically published online - individual contributions, consultation results, and where relevant documents such as meeting minutes, presentations or lists of participants.

Contributions should be published in the languages in which they were submitted. Translated versions done with the machine translation tool provided by DGT should not be published, as they are informal and for internal use only.

The received contributions should be published 15 working days after the consultation deadline. If this deadline is respected, the publication will count as acknowledgment of receipt. If the 15-days' limit cannot be respected, reasons for the delay (e.g. a huge number of responses), should be published online, indicating a new deadline.

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[29] For example a consultation on access to bank accounts in other EU countries had several target groups, which needed to be approached through different channels. In order to reach Erasmus and exchange students the Erasmus Student Network was involved through posting the link to the consultation questionnaire on their Facebook page, while retired persons were targeted through distributing a written questionnaire via the relevant associations

The fiches on consultation types and methods in annex I indicate how received input could be made available.

Cases in which the Commission accepted the request for anonymity are published without stating the name, but indicating to which stakeholder category (cf. step 2) the contributor belongs.

Other sub-categories for publishing the contributions can be foreseen if they are relevant for the consultation**.** Contributions from National Parliaments should be flagged separately.

1.8. Analysing the results (Steps 8 – 10)

1.8.1. STEP 8 - Analysing the responses

When the contribution gathering phase is completed, the <u>input received for each consultation</u> needs to be thoroughly analysed and the results fed into policy preparation.

Keep in mind that generally responses to consultations are not statistically representative of the target population.

The following section indicates how to analyse the responses. Start with a brief descriptive overview of contributions and proceed to their qualitative assessment.

1) **Brief descriptive overview of the profile of respondents:**

Based on simple descriptive statistics, an overview of the profiles of respondents can, for example, provide information on:

- The distribution of respondents across Member States and/or third countries
- The distribution of respondents by stakeholder category (cf. step 2)
- The distribution across any other dimension (e.g. clustering by sector) that might be relevant for the specific consultation or where similar trends in replies or particular concerns can be observed.

Analysis based on substance/content of responses (qualitative):

The detailed analysis of the substance of responses will be most important from the policy preparation perspective. Before starting with this analysis, the following issues should be considered:

<u>Content of replies/input:</u>

- Evaluate in general whether the contributions respond to the questions:
    - o Compare the input with the objectives of the consultation, as defined in step 1 and identify replies unrelated to the consultation topic.
    - o Distinguish between evidence/data/facts provided by respondents and respondents' subjective opinion.
- Report on strong diverging views from the main stream view and explain how far they will be considered.

- Compare the list of respondents/participants with the list of stakeholder target groups, as identified in step 2.
  - If no relevant information has been received from a target group, consider whether additional consultation(s) - for instance using different consultation types or targeting different respondents - might be necessary.

The consultation process is only one source of evidence and it needs to be assessed for reliability.

A qualitative appreciation of the responses and the respondents should be provided. Key criteria for the qualitative appreciation of the respondents are their involvement and interest in the policy, the way they are impacted by the policy, and if they reply on their behalf or if they represent some specific interests.

If there are only a small number of responses or if they cover only a narrow range of interests, rather than presenting overall percentages (X% of respondents agree), present them by stakeholder group, in order to avoid biased statements that are caused by differences in participation of different stakeholder groups. Ensure through other consultation activities that all concerned stakeholder groups are reached.

Consultations and the Transparency Register

Organisations, networks, platforms or self-employed individuals engaged in activities aiming at influencing the EU decision making process are expected to register in the Transparency Register. The relevant contributions can be flagged in the summary report (see under step 9). If contributors choose not to register, their input will be treated as individual contributions (unless they are recognized as representative stakeholders through Treaty provisions).[30]

Duplicate responses:

Duplicate responses should be identified as otherwise the data will be skewed in favour of multiple identical responses. For example, if several replies with the same content are sent from different departments of the same company branch or subsidiary of the company, these should be considered as one reply from one company. If there are duplicate responses from individuals from the same Member State or region, it should be checked if there were campaigns encouraging citizens to reply along the same lines. In this case this should be flagged when analysing replies and also explained later on in the summary report and/or in the IA report how the duplicate replies have been treated. In some cases, particular attention may need to be paid to joint, or duplicate, responses by Member States, authorities, regions or stakeholder organisations, as these could also signal strong, organised support across various stakeholder groups for certain views or policy options..

2) Detailed analysis of the contributions

After this initial assessment of the responses, a detailed analysis should follow structured either by the different stakeholder categories or on the basis of content/topics.

(i) Analysis on the basis of the different stakeholder categories

[30] Cf. Art. 154-155 TFEU.

This approach would be appropriate when consulting many different stakeholder groups with differing and potentially conflicting views on a few issues:

- Distinguish the main stakeholder categories (cf. step 2) – the brief descriptive overview (see above under point 1) builds already the basis for this.
- Distinguish within the main stakeholder categories e.g. if similar response profiles can be identified: geographical-Member State group 1 and Member State group 2; citizens–students and citizens–retired; or industry-producer, intermediary, distributor etc.
- Once broken down by stakeholder category, identify the nature of the response, e.g.:
  - Do they support/oppose/suggest modifications to a certain policy measure?
  - Do they provide new ideas? Do they suggest an alternative approach?
  - Do they provide further information/evidence of the impact of a policy measure?

The relative importance of these questions should flow from what has been defined as consultation objectives in step 1. e.g. gather new ideas, gather evidence, collect views, test existing analysis, etc.

(ii) Analysis on the basis of the different consultation topics

This approach would be suitable when many issues are discussed and fewer stakeholders with potentially less differing or conflicting views consulted.

- Identify the main issues that stem from the replies to the consultation
- Distinguish between the views of main stakeholder categories, for each of these issues. The questions could be structured as indicated above (e.g. support/opposition/modification/alternative approaches).

1.8.2. STEP 9 – Reporting on the results and providing feedback

Mandatory:
- Provide adequate feedback (minimum standard E)

It is critical for respondents to know how and to what extent their input is taken into account and it is especially important to explain why certain suggestions could not be taken up in the policy formulation. Providing effective feedback will contribute to the overall transparency of the Commission's policy-making, enhance the Commission's accountability, and possibly solicit better responses to future consultations.

To respect the requirement contained in the feedback provision, you should:

1. Draw up summary reports of input received in the context of each of the different consultation types used and publish it on the consultation webpage (cf. step 5).

It should be considered good practice to draw up, at the end of the consultation phase, one summary report covering the results of the different consultations. 1-2 months after the closure of a consultation, a summary report should be published on the dedicated website. At the moment of adoption of a proposal or an initiative by the Commission, the full set of summary reports should be available.

The summary report should reflect and outline the replies received from different stakeholder groups through different consultations activities. It should not exceed 10 pages and should be available in all languages used in the consultation.

As a good practice, the summary report of the consultation results should accompany the new initiative through Inter Service Consultation to adoption

2. Provide feedback explaining clearly how the contributions have been taken into account, and if not, why.

The feedback should contain a short description of the consultation process; the main results and reasoned, general feedback on how the major clusters of comments were taken into account by the Commission in the proposal.

a. Give the reasons for the options chosen:

- Report why certain options were discarded (especially when those were widely supported by the respondents);
- Make explicit the link between respondents'/participants' input, impact assessment or any other factor that justifies the options the Commission proposes;

b. Use logical and closed-circuit arguments;

c. Outline the next steps in the decision-making process and their timeline.

This reasoned feedback should be given in the IA report, in the explanatory memorandum of the proposal or, if relevant, in a Communication following up on the consultation. It should also be published on the dedicated website (cf. step 5). Please refer to the Impact Assessment Guidelines [link to new guidelines to be added] for further details as to how the consultation should be presented in the Impact Assessment Report.

1.8.3. STEP 10 – Evaluation of the consultation exercise

An appraisal of necessary changes and adjustments is often called for during the consultation process itself, in order to adjust its scope, targets, tools and methods.

Evaluation should be built early into the preparation of the consultation activity as this helps aligning it with its objectives and the quality of the process the EC service should aspire to.

Evaluation should help answer three questions:

a. Did the consultation strategy work? E.g. reached its target groups, met its objectives, level of effectiveness and efficiency of different tools and overall relevance and impact of the responses collected?

b. Did the process work? E.g. what worked well and less well, participants' satisfaction, lessons for the future?

c. What impact did the process have? E.g. on participants, on the outcome, on policy-makers?

Once the consultation exercise has been completed, its strengths and weaknesses should be assessed with a view to continuous improvement. An end-of-process survey addressed to all consulted parties will help gauge the depth of stakeholder satisfaction with the process, as well as with the final outputs and outcomes.

This will help to identify best practices, to learn from past experiences and to reap the benefits of a well-organised consultation process.

Annex 1 – Consultation methods and tools: overview and fiches

a) Overview of consultation tools

The table below provides an overview of consultation tools. It shows which tools are best suited to reach the different consultation objectives at the different stages of the policy cycle. It is a non-exhaustive list that focuses on what fits the Commission's requirements to consult citizens and stakeholders for policy preparation and evaluation of its policies. Thus, it does not provide a full overview of techniques of citizens' involvement and does not include information on more general relations with civil society.

degree of interactivity →

	INFORM	CONSULT *(written)*	CONSULT and INVOLVE *(based on direct interactions)*
OBJECTIVES	**Provide information to interested parties on Commission plans:** • give a first indication on the issues at stake, why the EU should address them • keep interested parties informed on when their input will be expected	**Obtain feedback from interested parties on issues at stake, possible solutions and impacts:** • collect (critical) views, new ideas, evidence, data • validate analysis, test hypotheses	**Obtain feedback from interested parties on issues at stake, possible solutions and impacts:** • discuss directly with interested parties to make sure their points are fully understood • allow for exchange of views between different stakeholder groups • facilitate consensus seeking or deliberation
TOOLS	**• Roadmaps** **• Calendar of planned open public consultations on Your Voice in Europe (YViE)** **• at DGs level - newsletters, websites** **• Alerts sent by Transparency Register** **Alerts sent by 'Commission at work – Notifications'**	**• Open public consultation** **• Consultation tools targeted at specific consultation groups** By way of…. **• Consultation questionnaires** **• Consultation documents** **• Outsourced (survey-based) representative consultations**	**• Stakeholder meetings, workshops, seminars** **• Stakeholder conferences, public hearings, broad events** **• *expert/focus groups (under certain conditions)*** **• online discussion fora** **• other online tools**

Early stages of policy preparation, planning

Policy preparation (development and revision of policies)
Policy application (evaluation of policies)

b) Consultation tools and methods: fiches

Questionnaires[31]

Purpose	**Gather input in a structured manner [often from a large number of respondents]**
Overview	A questionnaire is usually a combination of closed questions (with pre-defined answers from which the respondent has to choose one answer) and open-ended questions (leaving the possibility to the respondent to formulate its own answer) at the end of each section of closed questions. It includes the possibility to design different sub-sets of questions for the different types of respondents (e.g. different questions to citizens than to public authorities). It is also possible to create a username and password to ensure the identity of contributors in case of specifically targeted consultations. 'EU survey tool' is the Commission's application for creation and management of online surveys and consultations
When used	• Stage in policy preparation process: any • Consultation method: Can be used for all consultations in which written input is expected; design to be adapted to target group and consultation objective • When specific questions with a close set of precise answers can be used to deal with all relevant issues, or to collect opinions and views (to strike a balance between a more exploratory use: targeted consultation with few expected answers: open questions are possible and more affirmative use: broad consultation with many expected answers and closed questions are indispensable) • When straightforward responses or responses in terms of rating are expected (yes/no; agree/disagree…) • When responses from a large number of respondents are expected (e.g. consultation on tobacco or shale gas)
Target audience	Depending on the selected consultation method: • General public, all stakeholder groups (published on Your Voice in Europe, runs for 12 weeks, counts as open public consultation) • Targeted at specific groups (in these cases, the distribution can be done via channels other than Your Voice in Europe – e.g. Member States contact points for SMEs)
Advantages	• Allows to collect feedback in a structured manner • Allows for easier analysis of responses (descriptive statistics provided by EU Survey tool). • May be perceived as less time consuming for respondents, so they may be more willing to take part in consultation • In accordance with the principle to consult widely
Disadvantages	• Possible lobbying campaigns (leading to multiple identical replies) or individuals filling in the questionnaire several times • Difficulty when analysing results – if duplicate replies not identified, analysis of answers will be skewed in favour of these multiple identical responses – this is in particular an issue when anonymous responses are allowed • Does not allow for more detailed input from respondents, as replies to most of the

[31] It is assumed they are online (same applies to consultation documents). If need be, for particular stakeholder groups, alternative ways of responding should be offered, to increase the accessibility and response rate.

	questions are pre-defined. For open-ended questions – their number and length of free text for replies is usually limited, thus unsuitable tool for an in-depth analysis • Depending on the design of the questionnaire, respondents might be pushed into a certain direction and some answers might be excluded in the first place (especially if limited range of responses is offered) • Lack of randomized sampling does not allow for any assurance that results are representative of targeted populations. • Generally not statistically representative: Mainly the active stakeholders will contribute. • Used too often and inadequate situations a survey fatigue will arise
Links and examples	EU Survey (former IPM questionnaires)–DIGIT webpage (internal): https://myintracomm.ec.europa.eu/corp/digit/EN/serv_for_it_teams/it_infra_tools/EUSurvey/Pages/index.aspx (includes a quick start guide, access to training) http://www.gateshead.gov.uk/DocumentLibrary/council/consultation/Questionnaire-design-guidance-web.pdf

Open public consultation

Purpose	**Reach a broad number of stakeholders**
Overview	…
When used **Mandatory 12 weeks minimum consultation period**	Mandatory for impact assessments, ex-ante evaluations and Green Papers Since January 2012 the minimum time limit for replies to **open public consultations,** i.e. those open to a wide range of respondents/stakeholder groups and published on the 'Your Voice in Europe' single access point[32], is 12 weeks. Allowing a longer period than 12 weeks may be appropriate, depending on: • Specificity of a proposal e. g. complexity of the issue or the diversity of the interested parties • Consultations that overlap with holiday periods or bank holidays A consultation period shorter than 12 weeks could be envisaged exceptionally if a consultation is linked to a fixed annual cycle and is carried out on regular basis. In such a case, it is important to have the shorter open public consultation complemented by other ways of consulting.
Target audience	General public / all stakeholders
Advantages **Tools**	An open public consultation is open to all - anyone interested can provide input. Consultation document and/or questionnaire published on the 'Your Voice in Europe' website A specific sub-page to the overall consultation website linked to this initiative should be created. In order to ensure consistency and user-friendly access to information, the standard consultation page template should be used[33]. A vade mecum with explanatory notes on how to prepare the standard consultation page is available on the internal Commission website
Disadvantages	Resource-intensive Time-intensive
Links and examples	http://ec.europa.eu/yourvoice/index_en.htm

[32] http://ec.europa.eu/yourvoice/

[33] The standard page provides details about the title and policy field of consultation; target groups; period of consultation (and reason why the consultation period is less than 12 weeks for cases where such derogation has been allowed); objective of consultation; instructions on how to submit contributions; information about results of consultation and next steps, privacy statement.

Stakeholder meeting/workshop/seminar

Purpose	**Gather focused/specific input from targeted respondents through direct interaction**
Overview	Stakeholder events can be done with several stakeholder groups or they can be narrowed down to one particular group. Stakeholders can take part as participants or as speakers. A set of structured questions should be prepared to steer the discussions. A facilitator with knowledge of the topic and skills in steering a debate and resolving conflicts is also required. Clear selection criteria for participation are needed.
When used	• Stage in policy preparation process: any (but usually more advanced stages) • When more specific details/in-depth responses are needed from those directly affected • To deal with more technical issues • Appropriate for discussion and resolution of issues identified during the written consultation. Can be based on input already provided by different stakeholder groups
Target audience	Open to a limited number of participants (those with particular involvement, interest or stake in the policy being prepared or those that are most concerned)
Advantages	• Allows to collect detailed input from respondents • Allows to tap expertise • Allows for interactions, different groups affected by an initiative can enter into dialogue • Responses by stakeholders can be clarified and explored further
Disadvantages	• Should only be used to complement wider consultation processes - insufficient from a more general consultation perspective • Risk of privileged access and risk of complaints of those not invited; prevents some groups from participating • Risk of hidden agendas of some groups/individuals passing undetected • Not representative, only targets very small proportion of interested parties • Subject to selection biases. • Several meetings might be needed to gather the input – can be resource-intensive and more difficult to manage (also in terms of making sure that all relevant issues are covered)
Links and examples	Examples: two consultation meetings on options for structural measures to strengthen the EU ETS: http://ec.europa.eu/clima/events/articles/0070_en.htm http://ec.europa.eu/clima/events/articles/0071_en.htm meetings followed up after an online consultation: http://ec.europa.eu/clima/consultations/articles/0017_en.htm

Stakeholder conference/public hearing/broad events

Purpose	**Gather input from a larger number of targeted respondents through direct interaction**
Overview	Stakeholders can take part as participants or as speakers. Several respondents groups should participate. The number of participants is larger than in stakeholder meetings/workshops/seminars. A stakeholder conference or a public hearing may be organized complementary to a written consultation. In order for the event to be useful a clear objective needs to be set up. The event can be web streamed in case of wide interest. Clear selection criteria for participation are needed.
When used	• Stage in policy preparation process: any (Sometimes organised together with green papers, to launch discussions on new topics. Sometimes at later stages, when there is clarity on options/impacts) • Appropriate for discussion and resolution of issues identified during the written consultation. Often based on input already provided by different stakeholder groups
Target audience	Open to a limited number of participants (those with particular involvement, interest or stake in the policy being prepared or those that are most concerned). However, these events include a larger number of participants than meetings/workshops/seminars
Advantages	• Allows for interactions and direct involvement, different groups affected by an initiative can enter into dialogue • Responses by stakeholders can be clarified and explored further • Increases attention to the policy/consultation among stakeholders and general public
Disadvantages	• Should only be used to complement wider consultation processes - insufficient from a more general consultation perspective • Risk of privileged access and risk of complaints of those not invited • Not representative, only targets very small proportion of interested parties • Subject to selection biases. • Resource-intensive
Links and examples	Examples: Conferences with Green Paper On pensions: http://ec.europa.eu/social/main.jsp?catId=88&langId=en&eventsId=304&furtherEvents=yes on VAT: http://ec.europa.eu/taxation_customs/taxation/gen_info/tax_conferences/green_paper/index_en.htm Broad events: sustainable energy week http://www.eusew.eu/ organised regularly around a range of events in Brussels and across Europe

Information meetings/sessions

Purpose	**Deliver information to stakeholders and increase participation in consultations**
Overview	Complements written submissions The objective of the meeting is to provide information to stakeholders rather than gathering information. Involves a broad range of participants
When used	• To clarify the purpose and objective of a consultation process for stakeholders • To present findings or outcomes of a consultation process • To increase attention to a consultation
Target audience	Targeted at a broad range of participants, who might have an interest in the policy
Advantages	Allows the in-depth presentation of objectives and outcomes to stakeholders, which can be beneficial for the overall public consultation
Disadvantages	Resource intensive without receiving immediate input • Subject to selection biases.
Links and examples	Information meeting on single telecoms market: http://ec.europa.eu/digital-agenda/en/news/public-information-meeting

Commission expert groups and other similar entities

Purpose	**Gather specific input/collect expertise**
Overview	The primary function of expert groups is to provide the Commission with advice and expertise in relation to a number of tasks[34]. Gathering expertise from various sources may also include gathering the views from stakeholders. Expert groups are set up by the Commission or its services and can be permanent or temporary. A limited number of similar consultative entities are set up by a third party but administered and financially managed by the Commission Expert groups provide high-level input from a wide range of sources such as Member States' authorities, individuals – either appointed in a personal capacity or representing a common interest shared by stakeholders - companies, associations, NGOs, the ACP secretariat, EU development NGOs, trade unions, social partner organisations, universities, research institutes and EU bodies in the form of opinions, recommendations and reports. Expert groups do not take binding decisions on the Commission. All expert groups must be published on a dedicated public Register. For each group this register provide a great amount of information, including the mission, tasks, composition and selection procedures.
When used	• When in need of specific expertise, in relation to a well-defined mandate
Target audience	• Open to participants with expertise in the subject at hand
Advantages	• Allows to tap expertise and in specific cases of consultative committees representing the interests at stake in one specific sector it is a fit for purpose tool for consultation of this specific sector. •
Disadvantages	• Should only be used to complement wider consultation processes - insufficient from a more general consultation perspective • Risk of privileged access/risk of complaints of those not involved • Not always representative, when targeting very small proportion of interested parties • Can be resource-intensive. Expert groups are not set up to be used for consultation purposes. Composition of groups is determined first of all on the basis of quality expertise needed in relation to the defined mandate of any given group. In order to ensure that the Commission obtains the full range of views and expertise on a given matter, it should also use other tools and methods to supplement the work of expert groups[35].

[34] The preparation of legislative proposals and policy initiatives, the preparation of delegated acts and the implementation of existing EU legislation, programmes and policies.

[35] For example, studies, European agencies, Green papers and hearings.

Links and examples	Framework for Commission expert groups: http://ec.europa.eu/transparency/regexpert/index.cfm?lang=EN Expert groups register: ..\NEW FRAMEWORK 2010\C(2010)7649 final EN.pdf

SME Panels

Purpose	**Gather direct feedback from SMEs**
Overview	SME Panel Consultations are conducted through the Enterprise Europe Network. It is managed by DG ENTR. This tool enables services to reach SMEs in a targeted way, as network partners in Member States are well placed in their regions to identify companies that will be most affected by the subject of consultation. Ahead of the consultation, a draft questionnaire can be sent for comments to a group of Network partners. During the consultation phase network partners translate the questionnaire and run the consultation in their region. They collect the replies and encode them into EU Survey in English.
When used	Whenever an initiative has a potentially significant impact on SMEs
Target audience	SMEs
Advantages	• Broad geographical coverage • High number of Network partners, • Relatively quick response rate (8-10 weeks from the launch of SME panel consultation)
Disadvantages	• Should only be used to complement wider consultation processes - insufficient from a more general consultation perspective. • Subject to self-selection biases.
Links and examples	Internal guidelines for consultation of SMEs via the Enterprise Europe Network (includes tips for drafting questions targeted at SMEs): https://myintracomm.ec.europa.eu/dg/ENTR/dirunits/B/B4/Documents/Impact%20assessment/Documents_on_B4_pages/IA_SME_Panels_user_manual_en.pdf

On consulting SMEs in general:

SMEs are willing to be consulted, but they have time and resource constraints. Therefore questionnaires should be short (max 15 questions/4 pages) and written in clear language. The questionnaire should be accompanied by a simply and clearly written note, which explains the background, the issues at stake, and the purpose of the consultation and how the SME's input will be used.
SMEs are very diverse in terms of size, location, type of activity, experience etc. Depending on these factors different issues might be important for them. Therefore it is important to properly target the SMEs that will be consulted and think about how they will be consulted.
Some SMEs are members of industry representative organisations, which can represent interests of both small and large enterprises and therefore will not have an 'SME only' perspective. However, some SMEs are not a member of any representative organisation. That is why it is important to consult not only via representative organisations, but also directly with a number of individual SMEs.

Consultation of local and regional authorities through the networks of the Committee of Regions

Purpose	**Gather input from Local and Regional Authorities**
Overview	The Protocol on Cooperation between the Commission and the Committee of Regions stipulates that the Commission services preparing impact assessments may ask for support from the Committee. When carrying out a consultation, you can use the assistance of the CoR platforms, networks (e.g. Subsidiarity Monitoring Network, Europe 2020 Monitoring Platform) or regional offices which have a good access point to local and regional authorities. The consultation questionnaire specifically targeted at the local and regional authorities is prepared together by the Commission service and the CoR. The consultation report is then prepared by the CoR and sent to the Commission together with all the contributions received. If you consider that such a support would be useful for your consultation, you can contact the Committee of Regions (unit xxx) via: impact_assessment@cor.europa.eu
When used	Whenever an initiative has potentially significant regional impacts
Target audience	Local and Regional authorities
Advantages	• Good access to regional and local authorities • Enables to strengthen the analysis of regional aspects as well as the analysis of subsidiarity and proportionality
Disadvantages	Should only be used to complement wider consultation processes - insufficient from a more general consultation perspective. • Subject to self-selection biases.
Links and examples	Webpage of the Committee of Regions on Consultations carried out in the context of impact assessment: https://portal.cor.europa.eu/subsidiarity/activities/Pages/ImpactAssessmentConsultations.aspx

Online discussion fora + other interactive online tools

Purpose	**Gather feedback and engage in direct interactions with wide range of respondents**
Overview	Facilitator with technical skills, knowledge of the topic and skills in simulating/steering debate, resolving conflicts is needed Rules should be set up (on how to deal with spam, frequent messages, messages not related to the topic, defamatory or offensive contributions) Interactions should be structured around a certain number of issues (ask opinions or submit alternative ideas etc.) otherwise it will not produce useful results
When used	• Stage in policy preparation process: any
Target audience	
Advantages	• Allows for interactions, geographically dispersed groups can discuss online
Disadvantages	• Should only be used to complement wider consultation processes - insufficient from a more general consultation perspective. • Not representative, only targets part of interested parties • Subject to self-selection biases. • Resource-intensive. Issues with languages. Might be difficult to manage it as discussions can get disorganised, dominated by few participants. • Difficult to analyse contributions and to provide feedback
Links and examples	

Eurobarometer Surveys

Purpose	**Gather opinions of European citizens**
Overview	Eurobarometer is the public opinion service. It produces different types of surveys providing results which are representative of the targeted populations: • Standard Eurobarometer: surveys consisting of approximately 1000 face-to-face interviews per Member State, with reports published twice yearly. Over time, the evolution of public opinion can be followed on a number of topics. • Special Eurobarometer: surveys based on in-depth thematic studies, requested by the European Commission's own services • Flash Eurobarometer: ad hoc thematic surveys, conducted by telephone at the request of the European Commission, providing relatively quick results focusing on specific target groups • Qualitative studies: in-depth investigations of the motivations, feelings and reactions of selected social groups towards a given subject, carried out by listening to and analysing group discussions and interviews. You can request a Eurobarometer survey within the context of DG COMM's annual programming, and depending on the Commission's communication priorities.
When used	Policy stage: any
Target audience	Citizens
Advantages	• Because it is based on a random sample selection process, (representative) information on citizens' opinions on an issue can be gathered that can be extrapolated to the whole population • Allows to gather opinions from those that would not take part in a written consultation or in a stakeholder event • Allows for an in-depth analysis of existing circumstances relevant for a policy
Disadvantages	• As solitary consultation tool insufficient from a general consultation perspective – does not give the opportunity to everyone that wants to express its opinion to do so • Resource-intensive
Links and examples	Internal: http://www.cc.cec/dgintranet/comm/tools_services/eurobarometer_en.htm Europa: http://ec.europa.eu/public_opinion/index_en.htm